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Petr Kolar

Charles University, Prague

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Petr Kolar
Charles University
Prague, the Czech Republic



Center for the Study of Ethics in Society

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**Western Michigan University
328 Moore Hall
1903 West Michigan Avenue
Kalamazoo, MI 49008-5328**

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Tel: 616-387-4397

ethicscenter@wmich.edu

Fax: 616-387-4390

<http://www.wmich.edu/ethics>

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Academic Freedom in Times of Turmoil

Petr Kolar

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Petr Kolar

Petr Kolar is the Dean of the Faculty of Philosophy and Arts at Charles University, Prague, the Czech Republic. He was a member of the Department of Philosophy and Religious Studies before becoming Dean. Kolar, whose field is analytic philosophy and philosophic logic, has published numerous articles on subjects ranging from *Logical Analysis of Action Sentences* to the *Nature of Facts*. He is a member of numerous national and international philosophical and scientific organizations.

Preface

During the Summer of 2001, I was privileged to visit historic Charles University in Prague, the Czech Republic. The occasion for this visit was the potential for an exciting new venture for Western Michigan University. The Creative Writing Program and the Haenicke Center for International and Area Studies were in negotiation to take on the widely renowned Prague Summer Seminars, including recruitment of its Director, Richard Katrovas, to our creative writing faculty. The program, renamed Prague Summer Program, will make its home with us in the coming summer, as will Mr. Katrovas, and it will provide our creative writing students with a stellar opportunity to spend a summer studying their craft in one of the world's great capitals.

A delightful and unexpected outcome of these negotiations was the opportunity to become acquainted with Dr. Petr Kolar, Dean of the Faculty of Arts and Philosophy at Charles University. In contrast to the process here, the deans at Charles University are elected, typically for a three-year term. It was easy to see why Dr. Kolar was chosen for this leadership position. A man of great intelligence and erudition, he is also a charming and personable human being. We spent a very stimulating and pleasant hour in his conference room discussing the various possibilities for collaboration of our two universities.

Thus, I was most pleased when the opportunity came for us to invite Dr. Kolar to our campus. He came in early November, accompanied by his equally charming wife. In addition to conducting the formal business of signing a Friendship Agreement between the two institutions and joining us in announcing and celebrating the Prague Summer Program's rebirth at WMU, Dr. Kolar favored us with the talk printed here.

Elise B. Jorgens
Dean
College of Arts and Sciences

Academic Freedom in Times of Turmoil

Petr Kolář

I. Introduction

Freedom and turmoil. To an anarchistically minded person, the link between these two concepts is fairly clear and likely to have positive connotations. To a democratically minded person, the link between the concepts is rather obscure and likely to have negative connotations. Talking about *academic* freedom in times of turmoil may add to one's bafflement: What is academic freedom, what is a time of turmoil, and how do the concepts relate to each other? Is our understanding of either of the concepts determined by the understanding of the other one? What are the ideal historical conditions that realise academic freedom? Have such conditions ever occurred? How do we recognize that infringements of academic freedom occurred?

In the present lecture, I shall try to trace some of the historical changes of the conception of academic freedom. Then I point to various ways infringements of academic freedom have come about. We shall observe that while the conception of academic freedom has remained relatively stable, the infringements of it have undergone interesting changes in both quality and quantity. I shall frequently be referring to the European or Central European experience, and, in particular to the Czech experience connected with the development of the Charles University which - established in 1348 - is the oldest Central European university. Another, specifically Czech experience

cannot be left unmentioned, namely the so-called Velvet Revolution in 1989 and its link to the life of the academic community before and after that event. Even though the event itself is rather specific, its consequences proved to be part of a more general trend.

The final part of my lecture tackles some questions that arise at the borderline between philosophy and logic, more specifically, between ethics and logic. How do such questions bear upon the topic of academic freedom? If academic freedom is understood – among other things – as a *free* search for *truth* then the topic of academic freedom bears upon the topic of *ethics* as well as upon the topic of *truth*. The ground on which ethics meets with truth is the ground of metaethical inquiry.

II. What is academic freedom?

Academic freedom and academic rights are the basic values of the academic community. Various aspects of academic freedom cover the freedom of research and artistic production, freedom to teach, the right to learn and express one's own opinion in the process of education. Among other important values of the academic community are intellectual integrity, ethical conduct, and care of the culture of knowledge. The general idea underlying this interpretation of the concepts of academic freedom and academic rights, is as follows:

"Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher. [...] The common good depends upon the free search for truth and its free exposition." (*The American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure*).

Thus the general (modern) concept of academic freedom covers the free search for truth and its free exposition. In addition, academic tenure has been recognized as a means to the freedom of research and

teaching, as well as teachers' economic security. (Cf. *The 1940 Statement*.)

I shall mention various (historical) ways of understanding, interpreting, and employing the idea of academic freedom. At this point, let me only point out that a great deal of the problems that university teachers in the Czech Republic are facing stem from the fact that the Czech law recognizes the freedom of teaching and research, without recognizing tenure as a means to those ends. I dare say that this situation is a partial, sociological confirmation of the inseparability of academic freedom and tenure. Philosophers may ask whether tenure is *conducive* to academic freedom. Logicians may ask whether tenure *implies* or *entails* or *conceptually includes* academic freedom. Philosophising logicians may ask whether academic freedom *supervenes* upon tenure. Politicians usually fear that the answer to any of these questions will prove to be "yes".

The concept and practice of academic freedom as we understand it at present derives from the philosophical considerations of the 17th century English philosophers John Locke (1632-1704) and Thomas Hobbes (1588-1679). They expressed

"the need for unlimited inquiry in the sciences and for a general approach to learning unimpeded by preconceptions of any kind" (*Encarta Online*, entry on Academic Freedom).

When comparing the medieval ("rudimentary") conception of academic freedom as practised at medieval European universities to the modern conception of academic freedom, we tend to conclude something along the following lines:

Medieval universities enjoyed academic freedom in a limited sense. Some of them were *institutionally* and *economically* independent of either the state or the church, and their members enjoyed special legal rights (like falling under the jurisdiction of the university, rather than the state jurisdiction). Yet the freedom of research, teaching and

learning, and expressing one's opinion at school was dramatically circumscribed by theological considerations.

Even though the abovementioned facts fit, my interpretation of them differs from the interpretation just presented. In my opinion, medieval universities, and the Charles University in Prague (established on 7th April, 1348) in particular, secured all the aspects of the modern conception of academic freedom – given the social and scientific *paradigm* of the day. In addition, the medieval Charles University secured special legal rights – like having had the university court and having employed transparent and rational procedures to communicate with the courts outside the university.

Viewing things this way is not as shocking as it may seem. Even now, we enjoy academic freedom, given the contemporary social and scientific *paradigm*. The hard question to answer is what exactly the contemporary paradigm is like. The question may seem more difficult to answer now than in the Middle Ages. But is it really? In the Middle Ages, the idea of a different paradigm seemed unthinkable. Now, we believe that we are not as limited in contemplating alternative paradigms as our predecessors were in the past. But how can we be so sure?

The medieval conception of academic freedom led to the securing of all of the *basic* modern rights including the additional one just mentioned. Let us take the Charles University of the 14th century as an example. The free search for truth and its free exposition – *given the then paradigm* – was secured by the institutional autonomy of the university and the establishment of colleges to house the teachers and the students. The economic security of the teachers was ensured by the independent income of the university consisting of the revenue from a few villages, by housing the teachers in colleges, by the establishment of a kind of tenure (for instance, the establishment of a paid chair of theology), and by a generous donation of property from the emperor.

So much for the conception of academic freedom and the historical varieties of the conception. I shall soon get back to details, yet at this point, let me stress that the area of humanities represents the ground which is especially apt for cultivating such values and at the same time it is extremely sensitive to signs of decline of the values. This fact has played a major role in times of turmoil in which academic freedom (but not only *academic* freedom) is threatened.

II. What are times of turmoil?

When talking about the times of turmoil, one can easily come to the conclusion that – given the European experience – virtually any period of history is such. The time of turmoil is that of wartime, of the time of revolutions, of the rapid growth or of the rapid decline of a particular nation or civilization, of changing the values or even – like during the communist regime – the times of "no-time" or "timeless times" (meaning the times of a "frozen" society, the times in which there are apparently no social activity or changes). Europe and, in particular, my country which is geographically and probably also mentally, located in the heart of Europe has experienced such times ever since it has existed.

I shall be referring to specific historical periods which certainly fall under the concept of *times of turmoil*, namely 14th-17th century Europe, then the middle of the 19th century (which was the time of national revolutions in Central Europe), the periods of the 1st and the 2nd World Wars, the period of totalitarian regimes in Central Europe after World War II, and, finally, the time of Velvet Revolution in the former Czechoslovakia and the time of re-building democracy in my country after the fall of the "iron curtain".

III. A bit of history

Charles IV established the Charles University in Prague in 1348. I already outlined the progressive conception of academic freedom which underlay the functioning of the university. The university was

to wait some 60 years for the first serious cases of infringement of its academic freedom.

The first case of a serious clash of academic freedom at Charles with theological considerations dates back to 1408. At the time, the ideas of a British philosopher and theologian John Wycliff (died 1348), became popular among the Czech masters at the Charles University while being rejected by the German masters. By a verdict by the Papal court, the Czech master Stanislas of Znojmo was prohibited from holding and teaching Wycliff's ideas.

Thus, by an act of power from the outside of the university, a philosophical opinion was banned from the university. We shall see that infringements of academic freedom of this kind were to become popular also in much later times.

Secular monarchs did not leave academic freedom unabridged, either. The first case of the exertion of the sovereignty of the ruler over the Charles University occurred only a year later - in 1409. At the time, the university was preparing for the so-called *quodlibet*, which was an annual public scholastic disputation. The academic community of the university then consisted of the four so-called *nations*: the Czech, Polish, Saxon, and Bavarian nations. The three non-Czech nations were subsumed under the name of the German nation. As I mentioned earlier, the controversy among the Czech masters on the one hand and the German masters on the other hand flared up about the writings of John Wycliff. The Czechs adopted his ideas while the Germans rejected them. As the master to chair the *quodlibet* was the Czech Matthew of Knin, the German masters refused to take part in the disputation claiming that they would not dispute with a heretic. King Wenceslas IV forced the German masters to take part in the *quodlibet*, having exerted thereby his sovereignty over the university.

The main consequence of this act is worth mentioning. In 1409, King Wenceslas IV issued the so-called Kutna Hora Decree (dated January 18th, 1409) to the effect that the Czech nation at the Charles Univer-

sity got 3 votes while the other three nations (subsumed under the name of the German nation) got just one together. German masters protested and suggested that the university be split into the Czech University and the German University. That did not happen and the German masters with their students left Prague.

Czech historiography has had it that such an infringement of academic freedom was in principle positive as it laid the foundations of a national university. In fact, Charles University became purely national in 1448 when the Czech king George of Podebrady made the German masters and students leave the university under pressure. The national character of the university was thus gained through an act of a political authority.

The link between the two aforementioned stories with the times of totalitarian regimes in the 20th century is clear. Across centuries the point remains the same, namely that members of the academic community are forced from the outside to perform academic duties of a certain kind or a philosophical opinion of a certain kind is banned from the university by an act of a non-academic authority.

In 1622, the Charles University lost its status of an autonomous medieval corporation and became a Jesuit church school. 32 years later, the Charles-Ferdinand University is established as a result of the unification of the German University and the Jesuit school (former Charles University). In this way, the foundations of a new type of an institution of higher education were laid down, namely a state university.

The historical changes of the status of the Charles University give us material for thinking about the link between the institutional anchorage of a university and the ways academic freedom is understood and practised at the university. Charles University has gone through three main stages: from a medieval corporation through a church school to a state university. Needless to say, the conception of a state university has developed since the Charles-Ferdinand University of the 17th century. Simplifying the matter unduly, one can say that the medieval

corporation enjoyed economic independence while being infringed as to a free exposition of the subjects, the church school was not quite autonomous in either of these respects, and the state university was economically dependent upon the state while being freer in teaching.

It should be added that until 1848, "free search for truth and its free exposition" had not been practised at Charles-Ferdinand University. On the contrary, severe forms of censorship and police surveillance were employed.

We come in this historical outline to the middle of the 19th century, the time of national revolutions in Central Europe. In this period, the concept of the freedom of teaching obtained a new, broader content and found new ways of application at the university. University professors were given a new status: the head of the state appointed them, yet they were selected in a competition by boards of professors. The professors were free in choosing the subjects of their lectures, and they could not be pensioned off.

Later on, in 1880, academic freedom at the Charles-Ferdinand university was threatened by a clash of national demands: the Czech part of the academic community demanded that they have equal rights while the German part demanded that a new Czech university be established. Indeed, two years later, the Charles-Ferdinand University split and the Czech university opened.

The modern history of totalitarian infringements of academic freedom at the Charles University began with the 1939 invasion of Czechoslovakia by German troops. At the time, 1300 students were arrested and all Czech universities were shut down until the end of the occupation in 1945. One can hardly imagine more drastic infringements of academic freedom.

IV. Typology of infringements of academic freedom

Before I go on commenting on the post-war history of academic freedom in my country (and, again I would like to stress that I consider

the case of the Charles University typical, rather than isolated) let me give a brief typology of the infringements of academic freedom. I claim no pretension to either completeness or accuracy of the list. Yet I believe the types I picked are telling, at least within the context of the present considerations.

The following items are included in my list of types of infringements of academic freedom:

a) Ideological circumscriptions, which fall into two main categories, namely theological circumscriptions, and political circumscriptions. We have heard of theological infringements in connexion with the history of the Charles University. The political ones will be discussed in a moment.

b) Linguistic circumscriptions are connected with suppressing expression in a particular language at a university, especially when the language is spoken by majority of the academic community.

c) Economical circumscriptions are connected especially with the lack of employment security, the lack of tenure arrangements, or the lack of money for the proper operation of the university facilities.

d) Ethical infringements are connected with the non-existence of moral codes and rules of professional integrity at the universities.

e) Institutional infringements arise in connexion with various degrees of dependency of universities upon the government, which in some cases, results in a ban on private universities in a particular country.

f) Psychological circumscriptions are connected with so-called self-censorship or with the inadequate adaptability of members of the academic community to new conditions. The phenomenon of self-censorship was most conspicuous and spread under totalitarian regimes. The phenomenon consisted in teachers' and researchers' (as well as journalists', playwrights', or writers') imposing artificial and by large ideological constraints upon their own production or teaching.

g) There are also infringements of a special kind, like a ban on research which clashes with ethical principles or with the principles of sustained development. Certainly, the question arises whether or not such circumscriptions are *real* infringements of academic freedom. In my opinion, they are not.

V. Totalitarianism in the 20th century

One can easily imagine that academic freedom in times of a totalitarian regime is infringed in many respects. But what exactly goes wrong given that the totalitarian regime in question is installed in the post-war Central Europe in the second half of the twentieth century? What are the main features of the infringements of academic freedom under a government that claims to promote education and which actually puts serious amounts of money in the field of higher education?

Let me mention the main features or consequences of a modern totalitarian approach to education. Here, I am alluding to the situation in the former Czechoslovakia within the period of the communist rule from 1948 to 1989. Any resemblance to other totalitarian approaches is not entirely coincidental.

First, free research and, consequently free teaching is infringed by introducing a distorted demarcation between the area of science and humanities on the one hand and ideology on the other hand. The totalitarian demarcation places humanities within the area of ideology. In addition, some areas of science are excluded as non-scientific (or even anti-scientific), which was, for instance, the case of cybernetics, western philosophy, or semantics. In other words, only certain kinds of science are accepted within the area of (totalitarian) science.

Secondly, a single ideology is accepted as the ruling worldview, and, consequently, a great deal of educational and scientific activities is subject to achieving purely political goals. I have already mentioned the phenomenon of self-censorship, which goes hand in hand with these infringements.

Thirdly, access to education becomes highly privileged. That results in excluding large groups of so-called politically unreliable citizens (meaning those who do not conform to the totalitarian ideology) from access to higher education.

Fourthly, the totalitarian state monopolizes the whole area of higher education, which leads to the abolishment of private institutions of higher education, including church schools. Universities and other institutions of higher education thus become totally dependent upon the state – economically, ideologically, and in all aspects of research and teaching. Also the concept of tenure gets distorted: only "politically reliable" university teachers or researchers have a chance for promotion, the promotion being usually conditioned by one's membership in the ruling political party.

Finally, an artificial gulf between research and teaching is introduced and institutionalised. In particular, in many communist countries, research institutions (usually called *Academies of Science*) are isolated from the universities. As a consequence, research is isolated from the university teaching, teachers are preoccupied by their teaching duties while researchers are preoccupied by doing pure research, without getting feedback from university students.

As a reaction to the aforementioned infringements of academic freedom, a new phenomenon occurs, namely the rise of non-standard forms of education, like the so-called "home universities" or "apartment seminars". These forms of education are based on the idea that those citizens (both teachers and researchers and students) who are denied access to official university education should teach each other in private. (Let me add that some of the "techniques" practised in the so-called intellectual "underground" have been preserved in contemporary university teaching. In particular, in teaching philosophy at the Charles University, the idea of running seminars on reading and translating philosophical texts *as you know them* was adopted from the philosophical "underground".)

VI. After the Velvet Revolution

The fall of the totalitarian regime in my country in the so-called Velvet Revolution in 1989 brought with it the renewal of academic freedom. At this point, let me point out that one of the typical features of the Czech nation is its ability to turn disadvantages into advantages

and vice versa. The case of the renewal of academic freedom in my country shows that – paradoxically enough – getting more freedom at a wrong time can cause grave problems. What is the story?

Czech universities before 1989 suffered – among other things - from all the circumscriptions of academic freedom I mentioned earlier. Ideological infringements of academic freedom were the most conspicuous ones. Some kind of "cleaning out" of the universities was called for. Naturally, the cleaning out in question depended upon the willingness of the universities to abolish the old stereotypes in teaching and replace teachers who compromised themselves.

The dilemma was as follows: either the universities are to be endowed with the academic rights and freedom before the cleaning out of the academic life begins, or the cleaning out will precede the endowment of the universities with the rights. Why is this a dilemma? To wit, one horn of the dilemma represents a democratic move while at the same time likely to block the cleaning out. The other horn of the dilemma represents a not quite democratic move while at the same time likely to support the cleaning out. The point of the story is that the Czechs chose the first, democracy supporting, yet ineffective horn.

In contradistinction, the so-called new German lands (i.e., the former East Germany) when facing the same problem chose the other, democracy defying yet effective horn. As a consequence the cleaning out of the Czech universities has not yet come to an end.

While praising the return of academic rights and freedom to the universities we begin to face new forms of violations of them. Economic infringements that are connected with the transition from the closed socialist economy to an open economy come with the lack of employment security and lack of opportunities for young teachers and researchers to pursue an academic career. Psychological infringements of academic freedom arise when teachers are not able to adapt to new situation and demands.

An interesting and rather paradoxical situation arises in connexion with opening the education market to private institutions of higher education. Naturally, one tends to think – especially after a long period of the state's monopoly in the area – that the more the private universities, the easier and better academic freedom can be practised. Yet the appearance may be misleading.

Consider the limitations of the education market in the 10 million strong Czech Republic. Having had around 20 state universities before, the country still has rather limited resources of both teachers and students. Private universities compete with the state ones, which is in principle a good thing. What happens in such a market if the number of private institutions of higher education is not (artificially) limited? Given the extremely low level of remuneration in the state sector, private universities 'buy off' competent teachers from the state universities. So far so good. But – and here, I am getting to the point – what do the teachers do? They usually keep their appointments at the state institutions while accepting new positions at private universities and, as it happens, performing identical academic duties in both places. Naturally, they can perform their duties *well* in *neither* of the positions. Thus a new form of infringements of academic freedom arises: teachers willingly curtail their freedom to teach and do research as well as the students' right to learn by scattering their activities, recycling old teaching material, and shortening the time devoted to research.

In such a situation, a dilemma arises: either the government sets limits upon the number of private universities, thereby infringing academic freedom in one respect, or it does not set the limits, thereby infringing academic freedom in other respects.

I see a philosophical solution to the problem. Being philosophical, the solution may prove not quite practical or even not at all feasible. Anyway, the dilemma should disappear as long as the teachers realize (or are made realize) that the conduct just described is *immoral* and hence it is not compatible with the position of a teacher in an academic institution, be it private or non-private.

Here, the question of introducing written *moral codes* or *manuals of good practice* or *rules of professional integrity* into academic life becomes immensely important. You may wonder why is it that such manuals or rules have not yet been implemented in the academic life of a civilized and democratic country like mine. A short – and rather cruel – answer is that in times of turmoil, there is no time for morals. As it stands, this answer is not acceptable neither quite true. I make no pretension of glorifying the Czech "Velvet Revolution" unduly, yet the ethical conduct of a large portion of the population in the actual times of turmoil was exactly what made the revolution "velvet". So what is the other answer?

Another answer is that ethical issues are to be taken seriously only after economic issues have already been tackled. From the philosophical point of view, this answer is extremely controversial and unsatisfactory. From the political point of view, this answer is, I fear, true. Universities are to profess and pursue certain values which do not necessarily coincide with political or economical values. Without neglecting the latter, universities can and should focus on the former.

That is why I myself – being a university teacher, researcher and at the same time a university official – put so much stress on the implementation of the rules of professional integrity in my country's academic life. The poor economic situation of the universities or the whole country is no excuse for not having done so.

At this point, let me sum up the situation in my country in the area of academic freedom, ten years after the Velvet Revolution. I shall also put these considerations in the broader context of the process of general democratization of the country. Then, I shall mention a few concrete steps that, in my opinion, are to be made to promote the modern western conception of academic freedom in the Central European intellectual space.

Clearly, freedom of teaching and research implies the dynamism of research with all the intellectual and economical consequences of the process. We also believe that academic freedom makes it able to keep science and teaching within the ethical framework as traditionally understood in western society. Yet, the conceptual link between freedom and ethics is not necessarily reflected by social practice. Here, again, the example of my country may serve as a prototype of the general Central European situation.

As we already know, a commitment to human rights and academic freedom has been proclaimed. As a new feature, free and equal access to the financial support of research has been secured by the establishment of grant systems at various levels, in particular at the national level, within the Academy of Sciences, and at the universities. Freedom of speech facilitates free publication of the outcomes of scholarly research with the exceptions of the military research and, perhaps, security studies. Yet the new forms of infringements of academic freedom I already mentioned continue to threaten. (Among those are, in particular, the economic, institutional, psychological, and ethical circumscriptions.) What are the basic steps that need to be taken to bridge the gulf between *practising* academic freedom in Central Europe and practising it in developed western democracies?

First, the general rules of professional integrity of the individual researchers should be prepared, adopted by the community and implemented in practice. The rules will include, among others, copyright and authorship rules, rules for making the results of research public, rules for co-operation with industry, sponsors, and interest groups. The rules should also reflect the specific ethical responsibility of researchers for the environment, public health, or the genetic pool. In practice, such an ethical code should become an integral part of any contract with a researcher whose work is financed from the public purse.

Secondly, the ethical codes of research institutions and institutions which fund research (for instance, grant agencies) should be implemented. Such ethical codes have already been implemented within

medical sciences. In the field of social sciences and humanities, especially in jurisprudence, criminology, public opinion, media, history or sociology, specific rules of professional integrity are yet to be introduced. Considering grant agencies, which distribute public funds, special attention should be given to the definition and rules of declaring and preventing the *conflict of interests*.

Finally, the principles of the protection of intellectual rights must be clearly formulated, incorporated in the legal system, and observed.

VII. Academic Freedom after 11th September

The part of the academic community I belong to should openly reflect and analyze all aspects and consequences of the tragedy from the viewpoint of humanities and social sciences. We have witnessed an attack on the symbols (although unintended symbols) of the civilization that unites, among others, the U.S.A. with my country. The tragedy has shaken or even destroyed our value schemes.

In particular, the Czech society has gone through a decade of rebuilding the democratic value scheme. Now, we are facing new questions and doubts:

Which is more important to us: freedom and civic rights or security? How shall we defend our common values? What, actually, are the common values? What is the value of human life? Are we experiencing a fatal clash of incompatible abstract values which has concrete consequences? In times of suffering, distress, fear, and uncertainty, that is in times of current turmoil, the research in humanities and social sciences should give answers to these questions and help us understand the situation and find solutions to new problems.

Academic freedom makes room for open and unbiased debate on these issues. But what if academic freedom gets misused? And how shall we recognize that such a thing happened? Let me give you a few recent examples that come from my own academic environment. I should add that all the cases actually happened and that the dilemmas they present to us could not be solved by the application of any law.

Consider the case in which a visiting professor gives an invited talk on the relationships between the Euro-Atlantic and the Islamic civilizations. During the talk, the professor defends the thesis that the state of Israel must be destroyed. The dilemma here is whether or not academic freedom is to be circumscribed when it clashes with other values. What would *you* do when sitting at the lecture?

Or consider the case in which a university teacher invites representatives of extremist political organizations to a political science seminar to let them present their political opinions. The dilemma here is whether or not academic freedom helps spreading ideas that are hostile to freedom and civic rights. How would *you* judge the situation?

And finally, consider the case in which the Police and the Intelligence Service wish to establish an institutional co-operation with a public university. The dilemma here is whether or not political influence and interests circumscribe academic freedom. Would *you* sign the agreement?

VIII. Ethics and Truth

My foregoing considerations bore upon historical, methodological, and partly political and sociological aspects of academic freedom. Now, let me come to some of the relevant *philosophical* considerations. Much of what I said so far had to do with the old and well-known ethical question concerning the relationship between what *is* and what *ought to be*, or, in other words, between facts and values. The extremely influential philosophical thesis due to David Hume says that there is a logical gap between fact and value: no ethical judgement can be logically inferred from any statement of facts.

You may ask why I put so much stress on the logical aspects of ethical inquiry. Isn't this a way one's professional interests creep into a subject which is in fact remote from them? Indeed, philosophers have powers to link anything to virtually anything else. Yet the relationship

between academic freedom and logic, remote as it may seem, is real and significant.

Upon a moment's philosophical reflection one may realize that the abovementioned question concerning the relationship between facts and values shapes the whole of ethical discourse. There are two main reasons why the question deserves to be called 'discourse-shaping'. The existence of the gulf between what is and what ought to be motivates ethical considerations in the sense of finding answers to the questions like *What ought we to do? How should we act in certain situations? What goals should we set for ourselves?* In this sense, ethics becomes a discipline which belongs to the area of practical philosophy (to put it in the continental philosophical jargon). Yet many have held the opinion that the totality of situations of moral choice does not exhaust (or does not even intersect) the primary subject of ethics.

Thus we are getting to the other reason why the gap between fact and value shapes ethical discourse. To wit, the fact-value distinction can help us define the very subject of ethics, describe the characteristic features of ethical judgement and ethical argument, and inquire into the nature of ethical reasoning. In this other sense, ethics becomes a highly theoretical discipline and its results are statements concerning the *nature* of moral judgements and principles, rather than counsel on human conduct.

Let me follow this latter theoretical conception of ethics which we may call metaethics. Naturally, not everybody has to accept this demarcation of ethical inquiry. Yet even if one does not, the interesting questions still remain. What is the link between fact and value or between the descriptive discourse of science and the prescriptive discourse of morals? Can ethical considerations be rational given they do not belong to the realm of positive science?

One may illuminate the distinction between the realm of normative (that is *practical*) ethics and that of metaethics by means of contrast-

ing two lists of questions: one being characteristic of normative ethics and the other being characteristic of metaethics. Among the questions of normative ethics are the following ones:

How shall we act?

Which things or deeds are good and which ones are bad?

What has moral values and what is morally valueless?

Among the questions of metaethics are the following ones:

What is the meaning of the moral terms like "good"?

What is the relationship between moral judgements and statements of fact?

What is the ontological and/or epistemological status of ethical values?

An interesting true story bears upon the central metaethical issue. When Rudolf Carnap, a world famous German philosopher began working in Prague, he mentioned his views of the logical nature of moral judgement, which caused a perturbation in the philosophical circles. Carnap's colleague at the Prague German University, Oskar Kraus, was so much concerned that he pondered his civic duties and was about to inform the state administration of Carnap's spreading malign ideas. What happened? Carnap's holding the thesis that moral judgements are neither true nor false shocked Kraus.

As far as I know, this case did not lead to violations of academic freedom. The story would have been much better had Carnap been arrested for his logico-philosophical views, though. Nowadays, the thesis that moral judgements lack truth-values does not have the taint of philosophical extravagance. Carnap's once allegedly harmful stance became part of respectable metaethical doctrines.

What is the value of such an abstract metaethical inquiry and the results it renders? Philosopher Bertrand Russell says that

Philosophy is to be studied, not for the sake of any definite answers to its questions, since no definite answers can, as a rule, be known to be true, but rather for the sake

of the questions themselves [...] (Russell, B.: The Value of Philosophy. In: *The Problems of Philosophy*)

Leaving the inherent attractiveness of the metaethical questions aside, I believe that metaethical considerations can affect our lives, albeit indirectly. The understanding of the nature of moral discourse brings with itself knowledge that gives us safer ground in the situations of moral choice. The knowledge should also guide us in developing our moral attitudes and passing moral judgements. To put it briefly: the better we understand the meaning of any judgements, including the moral ones, the better is the chance that we pass them in a prudent, enlightened, and responsible way.

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3:00pm – 4:30pm
Bernhard Center
Room 205

Stephan Millett, Ph.D. – Director of
Ethical Inquiry at Wesley College
Perth, Australia
Toward An Ethical School

Jan 23rd, 2002
3:00pm – 4:30pm
Bernhard Center
Room 205

Panel Discussions: Sponsored By
The Comm/Ethics Department
*Interracial Communication: How
Are We Talking To One Another?*

Feb 13th, 2002
7:00pm
Bernhard Center
Room 210

Insoo Hyun, Ph.D. – Dept. Of
Philosophy, Western Michigan University
What Is Personal Well-Being?

Mar 20th, 2002
7:00pm
Bernhard Center
Room 210

JoNina Abron, Ph.D. – Dept. of
Communications, Western Michigan
University
Racial Profiling In The News

Apr 2nd, 2002
7:00pm
Bernhard Center
Room 208

Rudolph Siebert, Ph.D. – Dept. of
Comparative Religion, Western Michigan
University
*The Right Society: Personal Autonomy And
Universal Solidarity*

Apr 11th, 2002
7:00pm
Bernhard Center
Room 157

Norman Hawker, Ph.D. – Financial and
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*Convergence or Chaos: Stakeholder Theory,
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